

REMARKS

Amendments to the Claims

The above amendments to the claims are supported by the original specification. Particularly, the amendment to claim 1 is supported in paragraphs 0017 and 0019 and new claim 12 is supported in paragraph 31.

Drawing Objections

The drawings have been objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the reference character 32 not mentioned in the description.

The specification has been amended in paragraph 0020 to provide a description of reference character 32.

35 U.S.C. § 112

Claims 1-11 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims have been amended as suggested to provide clarity to the claims.

35 U.S.C. § 102(b)

Claims 1-4, 6-7 and 10 have been rejected under 35 U.S.C. § 102(b) as anticipated by Europe '971 (EP 1075971). This rejection is respectfully traversed for the following reasons.

EP '971 discloses a tire tread wherein the center rib is characterized by a plurality of extending psuedo-lands which are considered chamfers for the purpose of this rejection. At the tread surface, the center rib has a straight configuration, see figures 9a-9c which illustrates that the psuedo-land portions do not form part of the tread surface when the tire is un-worn. At the tread depth, the rib has a highly serrated configuration formed by the psuedo-land portions.

This configuration is exactly opposite of that which is recited by Applicants.

As a reference must disclose each and every element of the claimed invention to fully anticipate a claim under 35 U.S.C. § 102, EP '971 fails to anticipate the claimed invention. As Europe '971 fails to anticipate the invention as recited in the claims, it is respectfully requested that this rejection be withdrawn.

35 U.S.C. § 103

Claims 1-5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Europe '971 in view of Himuro (US2002/0062892) or Japan '513 (JP 2002-240513). This rejection is respectfully traversed for the following reasons.

The failure of the central rib EP '971 to have non-linear *ground contacting* edges is recognized by the inclusion of Himuro '892 and Japan '513.

Himuro discloses a central rib wherein at both the tread surface and the groove depth of the tread, the center rib has a serrated configuration caused by the psuedo-land portions 14a. Thus the modification of EP '971 in view of Himuro '892 fails to disclose each and every recited element and fails to establish *prima facie* obviousness.

Japan '513 discloses a serrated configuration at the tread surface with straight sides at the tread base, however, a modification of the teachings of EP '971 in the manner disclosed by Japan '513 would be to destroy the teachings of EP '971. EP '971 constantly teaches that the psuedo-land portions are to be formed *IN* the circumferential grooves (paragraphs 23, 25, 30, 32, 35, etc) wherein the groove volume of the circumferential groove adjacent the central rib is decreased (para 32). To modify EP '971 so that the surface of the rib has the serrated configuration and a straight base configuration of Japan '513 would be contrary to the teachings of EP '971. Thus the combination of references fails to establish *prima facie* obviousness.

As one combination of references fails to teach all the claimed limitations and the other combination of references is contrary and destroying of the teachings of each other, it is requested that the § 103(a) rejections over EP '971 be reconsidered and withdrawn.

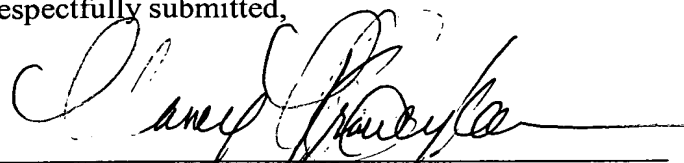
Claims 6-7 and 10-11 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Europe '971 in view of Himuro '892 (US 2002/0062892) or Japan '513 (JP 2002-240513) and further in view of Europe '685 (EP688685).

Claims 8-9 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Europe '971 in view of Himuro '892 or Japan '513 as applied above and further in view of Japan '319 (Japan 2002-103919).

The additional references cited in the rejection of the independent claims fails to overcome the deficiencies of the rejection of claim 1 under 35 U.S.C. § 103(a) as argued above.

In light of this amendment, all of the claims now pending in the subject patent application are allowable. Thus, the Examiner is respectfully requested to allow all pending claims.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Nancy T. Krawczyk", written over a horizontal line.

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